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PROBLEMS IN THE LAW OF CONTRACTS. By Henry Winthrop Ballantine. Pp. L and 363. Rochester: The Lawyers Co-operative Publishing Co., 1915.

To the lecture, text book, quiz book and case book there is now added a problem book as an aid to the study of law. That the student must learn to deal with legal problems is the fundamental principle that inspires all methods of instruction however they may differ. Professor Ballantine's book offers to supplement both the case book and the text book by furnishing a number of problems based on the decisions and requiring the solutions to be found by the student's own thought and research. All teachers submit or ought to submit problems in class discussion. This book submits them in advance of the discussion and enables the student to use the library to find the answer, in accordance with the method of the lawyer in solving actual problems.

Professor Ballantine's experience as a teacher of law commands the respectful attention of his colleagues to his declaration of faith in the method proposed and used by him and now given body in his book. Students who use the book cannot fail to be benefited. It is stimulating and suggestive and it adds the spice of mystery to the sometimes uninspiring drudgery of the reading of the cases. The problems in this book stand unilluminated by a single suggestion, with only a few notes that are meaningless until the literature referred to in them has been examined and its bearing on the problem noted. Perhaps even then the solution will not be found and the student may enjoy the supreme pleasure of trying to find an answer to an undecided problem. The book enables the student to do at home or in the library what he is now obliged to do in class if he participates in the discussion of the problems submitted by the teacher and its use ought to better fit him for participation in such discussion. It is much the same work that he must do in the Practice Court.

Professor Ballantine's book is a first attempt to translate into practice a theory of instruction long and earnestly advocated by him. The case book is constructed on the theory that the student does not know the problem or its solution until he has read the cases; the problem book states the problem without offering any solution. Do the two books supplement each other, or does the one neutralize the value of the other?

Perhaps the next step in the method of teaching law will be the abandonment of all books and the instruction will consist of the submission of problems to be solved without the use of the authorities, which will be made known to the student afterwards. If it be true that *principium est potissima pars cujusque rei*, then this would be a sound method, theoretically at least. "Tell me not of the last cited case having overruled any great principle," said Mr. Justice Story, "give me the *principle* even if you find it laid down in the Institutes of Hindu law." The Hindu law is no better, though it may be a richer repository of principles than the unbiased mind of the thinking student, and any method which gives free play to his powers and sense of justice will produce good results.

That Professor Ballantine's book has great merit is as obvious as that his theory of legal pedagogics is sound. It remains to be seen how his

book will work in actual use; the final test of its value can only be furnished by experience. Professor Ballantine deserves the thanks of his professional brethren for presenting his suggested modification of current pedagogical method. It is under the stimulus given by efforts such as his that the teachers and the bar will tread the path of improvement.

David Werner Amram.

PATHOLOGICAL LYING, ACCUSATION AND SWINDLING. By William Healy and Mary Tenney Healy. Pp. x and 286. Boston: Little, Brown & Company, 1915.

This book is number one of a series of monograph supplements to the Journal of Criminal Law and Criminology, the publication of the series having been authorized by the American Institute of Criminal Law and Criminology. The volume is practically a case book, giving complete clinical pictures of twenty-seven cases of various degrees of delinquency in which marked departure from truth telling, as measured by the present standards of society, is a conspicuous, and in a few instances, the sole symptom. The term "pathological" is employed to differentiate "falsification entirely disproportionate to any discernible end in view, engaged in by a person, who at the time of observation cannot definitely be declared insane, feeble-minded or epileptic," from the lie direct, inspired by a desire to accomplish some very specific end.

Pathological lying rarely, if ever, centers about a single event; it usually manifests itself over a period of years or even a lifetime. It represents a trait rather than an episode, and may lead to the symptoms—mythomania, pseudologia, phantastica. The quotation given above is the authors' definition of pathological lying and its formulation constitutes a helpful step in advance of earlier work in the same field. An equally satisfactory definition of pathological accusation follows the same lines: "It is false accusation indulged in apart from any obvious purpose." The most striking form of this type of conduct, of course, is self-accusation. Swindling is looked upon by the authors as a natural evolution from pathological lying.

It is obvious that grave and sensational social issues arise out of pathological lying, accusation and swindling. The legal issues presented by this type of conduct are exceedingly difficult to handle and many times costly to the state. It is, therefore, important that the well-equipped lawyer, as well as the student of abnormal psychology, be familiar with this type of departure from normal conduct.

Of the twenty-seven cases cited it is of interest to note that nineteen were diagnosed as mentally normal. The differential diagnosis must therefore be made upon data quite apart from that usually confirming the conclusion of feeble-mindedness, and both prognosis and treatment will be essentially different.

Dr. Healy's long experience with juvenile delinquency, particularly as it comes under the jurisdiction of the courts, has admirably equipped him for